

1 SHEPPARD, MULLIN, RICHTER & HAMPTON LLP

A Limited Liability Partnership

2 Including Professional Corporations

OTIS MCGEE, JR., Cal. Bar No. 71885

3 omcgee@sheppardmullin.com

MORGAN P. FORSEY, Cal. Bar No. 241207

4 mforsey@sheppardmullin.com

Four Embarcadero Center, 17th Floor

5 San Francisco, California 94111-4109

Telephone: 415-434-9100

6 Facsimile: 415-434-3947

7 Attorneys for

U.S. SECURITY ASSOCIATES, INC.

9 JOHN OTA, Cal. Bar No. 195532

10 LAW OFFICES OF JOHN OTA

1720 Broadway

11 Alameda, CA 94501

Telephone: (510) 521-7047

12 Facsimile: (510) 512-7047

Email: johnota@sbcglobal.net

14 Attorney for Plaintiff CHRIS BRAGGS

15 UNITED STATES DISTRICT COURT

16 NORTHERN DISTRICT OF CALIFORNIA

17 SAN FRANCISCO DIVISION

19 CHRIS BRAGGS,

20 Plaintiff,

21 v.

22 U.S. SECURITY ASSOCIATES, INC., a  
23 corporation doing business in California;  
24 and DOES 1 through 10,

25 Defendant.

Case No. CV 10 2031 - JSW

**STIPULATED REQUEST FOR  
ORDER CONTINUING THE  
DEADLINE TO PARTICIPATE IN AN  
EARLY NEUTRAL EVALUATION  
AND ~~PROPOSED~~ ORDER**

Courtroom 11, 19th Floor  
Judge: Hon. Jeffrey S. White

**STIPULATION**

Pursuant to Local Rules 5-4, 6-2 and 7-12, Plaintiff Chris Braggs ("Plaintiff") and Defendant U.S. Security Associates, Inc. ("Defendant"), stipulate and respectfully request that the Court approve this stipulated request and grant a three week continuance of the March 1, 2011 early neutral evaluation deadline ("ENE") until March 22, 2011.

Counsel for both parties met and conferred independently and with the Early Neutral Evaluator during the ENE planning teleconference and determined that due to the need to complete outstanding discovery, including Plaintiff's deposition, they will not be prepared to have a meaningful ENE before the March 1, 2011 deadline. The parties have made significant progress on resolving discovery issues and will be able to complete the outstanding necessary discovery and the early neutral evaluation by March 22, 2011.

In compliance with Local Rule 6-2, the Plaintiff and Defendant respectfully state:

1. On February 8, 2011, the parties participated in a pre-ENE telephone conference with the Early Neutral Evaluator, Sandra McCandless.

2. During the February 8, 2011 teleconference, the parties confirmed the need to complete further discovery to have an effective ENE and did not believe that the outstanding discovery could be completed in time to meet the March 1, 2011 ENE deadline.

3. During the February 8, 2011 teleconference, the parties made significant progress on resolving discovery disagreements that had been an impediment to completing the necessary discovery. Further, the parties agreed to a pre-ENE discovery plan and set Plaintiff's deposition of February 28, 2011.

4. The parties agreed to participate in an ENE on March 16, 2011.

1           5.     The parties agree that an extension of the early neutral evaluation  
2 deadline until March 22, 2011, is appropriate.

3           6.     Should early neutral evaluation not result in resolving the case, the  
4 Parties agree that continuing the ENE deadline will not affect the scheduled trial  
5 date.

6           7.     In compliance with Local Rule 6-2, a Declaration of Defendant's  
7 counsel is attached in support of this Stipulated Request for Order Changing Time.  
8

9                     IT IS HEREBY STIPULATED AND RESPECTFULLY  
10 REQUESTED THAT this Court continue the March 1, 2011 early neutral evaluation  
11 deadline to March 22, 2011.  
12

13 Respectfully submitted  
14 Dated: February 10, 2011

15                     LAW OFFICES OF JOHN OTA

16  
17 By                     /s/     John Ota  
18                                     JOHN OTA

19                                     Attorneys for Plaintiff  
20                                     CHRIS BRAGGS

21 Respectfully submitted  
22 Dated: February 10, 2011

23                     SHEPPARD, MULLIN, RICHTER & HAMPTON LLP

24 By                     /s/     Morgan P. Forsey  
25                                     OTIS McGEE, JR.  
26                                     MORGAN P. FORSEY

27                                     Attorneys for  
28                                     Defendant U.S. Security Associates, Inc.

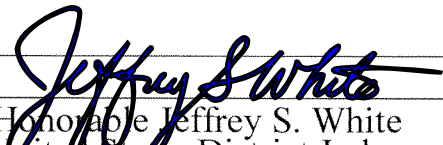
**ORDER**

In accordance with the above Stipulation of the parties which is incorporated herein by reference, and with good cause appearing therefor, the Court orders as follows:

IT IS HEREBY ORDERED THAT the January 27, 2011 early neutral evaluation deadline is extended until March 1, 2011

**IT IS SO ORDERED.**

Dated:  
February 11, 2011

  
Honorable Jeffrey S. White  
United States District Judge

**\*\* END OF ORDER \*\***